

REMARKS

Claims 1 and 3-18 are pending in the application. Claims 1 and 3-18 have been amended for cosmetic reasons unrelated to patentability. Reconsideration is respectfully requested in view of the following remarks.

I. Allowable Subject Matter

Applicant wishes to thank the Examiner for allowing claims 3-4, 7-9 and 17-18.

II. The § 103 Rejections

Claims 1, 5-6 and 10-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. JP409312935A ("Fujimoto") in view of Japanese Patent No. JP404200238A ("Okamoto").

Applicant respectfully traverses.

Claim 1 recites a power supply system that includes a power supply apparatus connected to a commercial power supply for supplying power to a main unit. The power supply system further includes a controller that executes an operation of power consumption control means for the main unit, which operation is started upon power consumption in the main unit exceeding a maximum output power of the power supply apparatus.

A potential advantage of such a power supply system is by starting an operation for power consumption control at the point when power consumption in the main unit exceeds a maximum output power of the power supply apparatus, then power consumption of the power supply system can be controlled in a state while making full use of the performance of the power supply apparatus (specification page 5, lines 1-3).

A. Neither Fujimoto nor Okamoto Discloses a Controller That Executes an Operation of the Kind Recited In Claim 1 Upon Power Consumption in the Main Unit Exceeding a Maximum Output Power of a Power Supply Apparatus

The Examiner recognizes that Fujimoto and Okamoto fail to disclose that the "specified value" (of Fujimoto) or the "preset first value" (of Okamoto) represents a maximum output power of a power supply. The Examiner, however, asserts that one of ordinary skill in the art at the time of the claimed invention would have readily recognized that such maximum output power is implied in the teachings of both Fujimoto and Okamoto – that a typical threshold in the conventional system would have been a maximum allowable output that shall trigger a control signal when the threshold is exceeded. Applicant respectfully disagrees.

While Applicant recognizes that the Examiner is entitled to support an obviousness rejection based on common knowledge in the art, Applicant respectfully submits that the Examiner can only take official notice of facts outside of the record which are capable of instant and unquestionable demonstration of being "well-known" in the art. *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970). In this present case, Applicant submits that one of skill in the art at the time of the invention would not have considered Fujimoto's "specified value" or Okamoto's "first preset value" to be a maximum output power of a power supply for the reasons previously presented in the response mailed August 4, 2005, which are reiterated below.

As described in the specification at page 3, line 10 – page 4, line 25, conventional power supply systems are operated in a manner such that a maximum output power of a power supply is not exceeded, even for a moment – e.g., to prevent flickering of an LCD back light. To achieve such an operation, convention power supply systems typically perform a power management function to reduce power consumption of a main unit (e.g., a notebook PC) once the output

power of a power supply reaches a pre-determined limit substantially below the maximum power specification of the power supply (e.g., 80% of the maximum power specification). As a result, the maximum output power of a power supply is not fully utilized in conventional power supply systems, which results in lower performance of the entire system.

Applicant respectfully submits that both Fujimoto and Okamoto describe such conventional power supply systems. That is, conventional power supply systems have a typical threshold – e.g., Fujimoto’s “specified value” or Okamoto’s “first preset value” – that is substantially below a maximum output power of a power supply. Accordingly, one of skill in the art at the time of the invention would not have considered Fujimoto’s “specified value” or Okamoto’s “first preset value” to be a maximum output power of a power supply.

Applicant’s respectfully requests the Examiner to cite a reference that provides a teaching or suggestion to start an operation for power consumption control at a point when power consumption in the main unit exceeds a maximum output power of a power supply apparatus. Or if the Examiner is basing the rejection on personal facts within the knowledge of the Examiner, Applicant respectfully requests that the Examiner provide an affidavit to support those facts. See MPEP 2144.03; 37 CFR 1.104(d)(2).

B. Other Independent Claims

Claims 10 and 12 incorporate limitations similar to those of claim 1. Claims 10 and 12 (and the claims that depend therefrom) are also allowable over the combination of Fujimoto and Okamoto for reasons corresponding to those set forth with respect to claim 1.

In view of the foregoing, Applicant respectfully submits that the claims 1 and 3-18 are allowable over the cited references, and are in condition for allowance. Should any unresolved issues remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

December 2, 2005



Kelvin M. Vivian
Attorney for Applicant(s)
Reg. No. 53,727
(650) 493-4540